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Patent

Attorney's Docket No. 1032326-000080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Charles Coulier et al.

Application No.: 09/601,222

Filed: September 14, 2000

For: SYSTEM AND METHOD FOR
MANAGING COMPUTER
APPLICATIONS SECURITY

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Group Art Unit: 2132

Examiner: ZAND,KAMBIZ

Confirmation No.: 8563

SUPPLEMENTAL REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Supplemental Reply Brief is being submitted in response to the revised Examiner's Answer mailed May 18, 2006.

Most of the revised Examiner's Answer corresponds to the original Answer mailed January 19, 2006, the substance of which has been addressed in Appellants' Appeal Brief and Reply Brief. The revised Examiner's Answer includes two new sections c) and d) beginning on page 12. This Supplemental Reply Brief is directed to these two new sections.

In section c), the revised Examiner's Answer identifies certain passages within the background portion of the application, that discuss drawbacks associated with the prior art, and the objectives of the claimed invention to overcome those drawbacks. The revised Examiner's Answer comments that certain features associated with the invention are not recited in the claims, e.g. the number of levels in the hierarchical tree and the emancipation of a child application from its parent application.

This portion of the revised Answer focuses upon the *results* that can be achieved with the claimed subject matter. The fact that these results are not explicitly recited in the claims is not germane to the issues on appeal. Appellants are not attempting to claim results, per se. Rather, the claims are directed to the mechanism by which those results can be achieved, such as the dynamic allocation of security registers to any one of a plurality of directories in a hierarchy. The issue to be decided on appeal is whether the prior art references teach or suggest the *claimed* subject matter. Whether or not the claims also recite the results that flow from the claimed elements is irrelevant to this issue.

Section d), appearing on page 13 of the revised Answer, states:

The prior art is replete with disclosing hierarchical directory tree and allocation of application with corresponding security registers including dynamically and corresponding directory.

This conclusory statement does not substantiate the current rejections being appealed. As pointed out in Appellants' Appeal Brief and Reply Brief, the Proust and Jennings patents do not disclose the claimed subject matter. If other, more relevant prior art exists that would preclude the patentability of the currently pending claims, the appropriate course of action would be to reopen prosecution to identify such prior art, and present a rejection directed thereto, if appropriate.

Based upon the prior art of record, the rejections are not supportable.

Respectfully submitted,

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Date: June 1, 2006

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